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**To: U.S. Patent and Trademark Office****Facsimile: 703-872-9306****From: Gregory P. Einhorn, Ph.D. (Patent Agent)****Date: April 21, 2004**

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**Comments:**

ATTORNEY DOCKET: 564462001620  
GROUP ART UNIT: 1652  
EXAMINER: R. Hutson  
SERIAL NO.: 09/656,309  
FILING DATE: September 6, 2000  
INVENTOR(S): Walter CALLEN et al.  
TITLE: ENZYMES HAVING HIGH TEMPERATURE POLYMERASE  
ACTIVITY AND METHODS OF USE THEREOF

**Papers attached:**

1. Response and Amendment (22 pages)
2. Petition for Extension of Time (1 page)
3. Transmittal Form (1 page)
4. Fee Transmittal Form (1 page + 1 copy for processing)
5. Declaration Under 37 C.F.R. §1.132 ( 8 pages)

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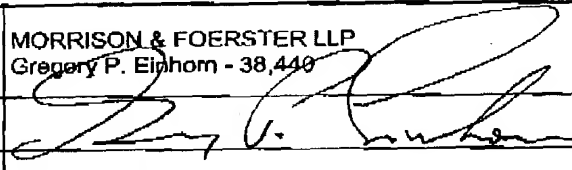
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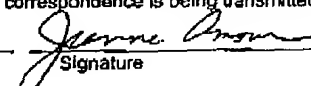
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/656,309	
	Filing Date	September 6, 2000	
	First Named Inventor	Walter CALLEN	
	Art Unit	1652	
	Examiner Name	R. Hutson	
Total Number of Pages in This Submission	34	Attorney Docket Number	584462001620

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form + 1 for processing <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply - 22 pages <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request - 1 pg. <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration Under 37 CFR 1.132 - 8 pages
Remarks  Customer No. 25,225		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Gregory P. Einhorn - 38,440
Signature	
Date	April 21, 2004

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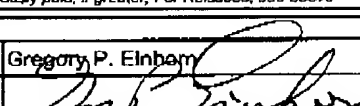
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unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or release)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1480</td><td>130</td><td>1480</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td>Submission of Information Disclosure Sheet</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - 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SUBMITTED BY (Complete if applicable) Name (Print/Type): Gregory P. Einhorn    Registration No. (Attorney/Agent): 38,440    Telephone: (858) 720-5100 Signature:  Date: April 21, 2004																																																																																																																																																																																					

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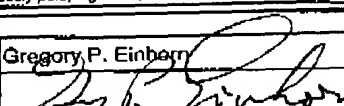
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Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.																																																																																																																																																																																	
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Name (Print/Type): Gregory P. Einhorn    Registration No. (Attorney/Agent): 38,440    Telephone: (858) 720-5100 Signature:  Date: April 21, 2004																																																																																																																																																																																	

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APR 21 2004

PTO/SB/22 (08-03)

Approved for use through 7/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket No. (Optional) 564462001620	
In re Application of Walter CALLEN et al.			
Application Number 09/656,309		Filed September 6, 2000	
For: ENZYMES HAVING HIGH TEMPERATURE POLYMERASE ACTIVITY AND METHODS OF USE THEREOF			
Art Unit 1652		Examiner R. Hutson	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$	
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$	
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$	950.00
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$	
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$	

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 475.00.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 03-1952.

I have enclosed a duplicate copy of this sheet. Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ attorney or agent of record. Registration Number \_\_\_\_\_

☒ attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) 38,440

\_\_\_\_\_  
Date April 21, 2004

\_\_\_\_\_  
Telephone Number (858) 720-5100

\_\_\_\_\_  
Signature Gregory P. Einhorn

\_\_\_\_\_  
Typed or printed name Gregory P. Einhorn

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

SD-195580

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